IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 205 OF 1995

Metal Box Workers Union ...Petitioner

Versus

Metal Box India Ltd.& Ors. ...Respondents

.....

Mr. Ameja Tamhane h/f Miss. Seema Sarnaik, counsel for Petitioner

Mr. Ashok Varma counsel for Respondent No.1.

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CORAM: B. H. MARLAPALLE, J.

DATED: 21ST FEBRUARY, 2005

P. C.:-

1. In Complaint (ULP) No. 867 of 1992 an application at Exh.U-2 filed under Section 30(2) of the M.R.T.U and P.U.L.P. Act, 1971 was allowed by the Industrial Court at Mumbai on 23.2.1995. It is alleged that the said order was flouted by the respondents and therefore, they are guilty of contempt within the meaning of Section 2(b) of the Contempt of Courts Act, 1971.

2. In fact the petitioner Union had a remedy of moving criminal complaint under Section 48 of the M.R.T.U. and P.U.L.P. Act, 1971 for initiating criminal proceedings against the respondents for non

compliance of the order passed below Exh.U-2. However, this contempt petition was admitted on 18.7.95 and in the meanwhile the employer company i.e. M/s. Metal Box India Ltd. suffered closure and became a BIFR Company. It is not known whether the respondent Nos. 2 and 3, Officers, are still in the employment of the said Company. The Complaint (ULP) No. 867 of 1992 must have also now been decided by the Industrial Court. With the passage of time and on account of the intervening events, nothing further would survive in this contempt petition and the same is dismissed as infructuous. Rule discharged.